

REMARKS/ARGUMENTS

The Office Action dated August 27, 2007 has been carefully considered. Claims 1-96 and 107-130 are pending in the present application with claims 1, 39, 66, 96, 107-110, 122, 123 and 127 being in independent form. Claims 97-106 were previously withdrawn.

Claims 1-26, 29-36, 38-63, 65-87, 90-93, 95-96 and 107-130 have been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,670,689 to Holmgren. Reconsideration of this rejection is respectfully requested.

As an initial matter, Applicants note that at page 2 of the Office Action, the Examiner has actually stated that claims 1-26, 29-36, 38-63, 65-87, 90-93, 95-96 and 107-130 are rejected under U.S. Patent Publication No. 2002-00238532 to Lax et al. However, it appears that the comments made by the Examiner in support of the rejection actually refer to the Holmgren reference. The differences between the present application and Lax were outlined in detail in Applicants' previous response of June 15, 2007. In addition, during the telephone interview of June 14, 2007, the Examiner indicated that the amendments to the claims submitted in the previous response would be sufficient to distinguish themselves from the Lax reference. Applicants do not see any indication in the Office Action to suggest that the Examiner has changed his mind as it relates to the Lax reference. Accordingly, Applicants presume that the Examiner intended to reject the claims in the present application under Holmgren. If this is incorrect, the Examiner is respectfully requested to clarify his rejection.

Holmgren, as understood by Applicant, relates to an anti-theft box that displays goods preferably in shops and department stores. The box includes a cassette 10 with a lid 11. A lock mechanism 13, 15 is provided to bring the lock bolts into and out of locking engagement with the cassette 10.

Holmgren, however, does not show or suggest a locking member wherein the locking member is entirely internal to the container as is required by claim 1, for example, of the present application. The Examiner argues that the operating slide 13 and the lock slide 15 of the Holmgren reference correspond to the locking member of claim 1, for example, of the present application. However, housing 14 of Holmgren is integral with the slide 13 and is positioned on the exterior of the container. Thus, housing 14 is never inside the container and is always

accessible from the exterior of the container, whether in a locked position or in an unlocked position. Thus, Holmgren fails to show or suggest that the “entirety of the locking member is internal to the container” as is required by claim 1, for example, of the present application.

Accordingly, it is respectfully submitted that claim 1, and the claims depending therefrom, are patentable over the cited art for at least the reasons described above.

Independent claims 39, 66, 107, 108, 109, 110 and 122 similarly refer to containers, systems or methods for securing and or accessing an asset. Each of these claims requires that the entirety of the locking member be internal to the container when the locking member is in the unlocked position. As is noted above, Holmgren does not disclose this feature.

Accordingly, it is respectfully requested that claims 39, 66, 107, 108, 109, 110 and 122, and the claims depending therefrom, respectively, are also patentable over the cited art for at least the reasons similarly described above with reference to claim 1.

In independent claim 123, on the other hand, relates to a key arrangement for locking and unlocking a container and independent claim 127 relates to a method for locking and unlocking a container. Both of these claims require that the entirety of the locking member is internal to the container in the unlocked position. Thus, it is respectfully submitted that claims 123 and 127, and the claims depending therefrom, respectively, are also patentable over the cited art for at least reasons similar to those described above.

In independent claim 96, the lockable container for securing an asset includes a locking member “being arranged entirely within the container”. As is noted above, the slide 13 in Holmgren includes the housing 14 which is always exposed to the exterior of the container. Thus, the locking member of Holmgren is never arranged entirely within a container. It is respectfully submitted that claim 96, and the claims depending therefrom, are patentable over the cited art for at least the reasons described above.

Claims 27-28 and 88-89 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Holmgren. Reconsideration of this rejection is respectfully requested.

Claims 27-28 depend indirectly from independent claim 1, and claims 88-89 depend indirectly from independent claim 66. As is noted above, both claims 1 and 66 are believed to be patentable over Holmgren. Further, it is believed that the claims depending from claims 1 and

66, including claims 27-28 and 88-89, respectively, are also patentable over the cited art for reasons at least similar to those described above.

In light of the remarks and amendments made herein, it is respectfully submitted that claims 1-96 and 107-130 are patentable over the cited art and are in condition for allowance.

Favorable reconsideration of the present application is respectfully requested.

Respectfully submitted,

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A handwritten signature in dark ink, appearing to read "Robert C. Faber", is written over a horizontal line.

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